

REMARKS

Claims 1-22 remain pending in this application. Reexamination and reconsideration of the claims are respectfully requested.

Claim 1-22 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-2, 4-5, 9 and 20-23 of USP 7,009,680, taken alone or in combination with one or more additional references.


In response, Applicant submits concurrently herewith a terminal disclaimer to obviate the non-statutory obviousness-type double patenting rejections. USP 7,009,680 is commonly owned with this application.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 59524200610.

Dated: April 25, 2008

Respectfully submitted,

By 

Alex Chartove

Registration No.: 31,942

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 400

McLean, Virginia 22102

(703) 760-7744